

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN JIM ELLIOTT**, on March 7, 2007 at 9:00 A.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jim Elliott, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Jeff Essmann (R)  
Sen. Kelly Gebhardt (R)  
Sen. Kim Gillan (D)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jim Peterson (R)  
Sen. Trudi Schmidt (D)  
Sen. Bob Story Jr. (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Lee Heiman, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 469, 2/26/2007; SB 530,  
2/26/2007  
Executive Action: None.

00:00:19

**HEARING ON HB 469**

**Opening Statement by Sponsor:**

00:02:04 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 469**, Clarify tax classification of wireless communication property.

**Proponents' Testimony:**

00:05:35 Amy Grmoljez, Verizon Wireless

**EXHIBIT (tas48a01)**

00:08:14 Stacey Sprinkle, Verizon Wireless

00:15:54 Toby Reese, Alltel Communications

00:22:48 Michael Strand, Montana Independent Telecommunication Systems (MITS)

00:26:51 Jon Bennion, Montana Chamber of Commerce

00:27:47 Mike Randall, Montana Information Technology Alliance (MITA)

00:29:11 Mary Wittinghill, Executive Director, Montana Taxpayers Association (MonTax)

00:30:20 Margaret Morgan, Alltel Communications

**EXHIBIT (tas48a02)**

**Opponents' Testimony:**

00:31:08 Dan Bucks, Director, Montana Department of Revenue (DOR)

00:46:32 C.A. Daw, Legal Counsel, Montana Department of Revenue (DOR)

**Informational Testimony:**

00:55:07 Terry Johnson, Principal Fiscal Analyst, Legislative Fiscal Division (LFD)

**Questions from Committee Members and Responses:**

00:55:31 Sen. Sam Kitzenberg to Mr. Johnson, LFD

01:00:27 Sen. Kitzenberg to Mr. Strand, MITS

01:02:27 Sen. Kitzenberg to Ms. Sprinkle, Verizon Wireless

01:03:09 Sen. Kitzenberg to Ms. Morgan, Alltel Communications

01:06:36 Sen. Kitzenberg to Rep. McNutt

01:07:24 Sen. Ken Peterson to Mr. Johnson, LFD

01:11:55 Sen. Christine Kaufmann to Director Bucks, DOR

01:14:10 Sen. Peterson to Director Bucks, DOR

01:19:02 Sen. Robert Story to Director Bucks, DOR

01:22:05 Sen. Jeff Essmann to Director Bucks, DOR

01:24:40 Sen. Dan Harrington to Director Bucks, DOR

01:26:39 Sen. Trudi Schmidt to Mr. Reese, Alltel Communications

01:31:28 Sen. Schmidt to Director Bucks, DOR, rereferred to Lee Baerlocher, DOR

01:33:32 Sen. Kaufmann to Mr. Baerlocher, DOR

01:34:23 Sen. Kaufmann to Mr. Reese, Alltel Communications

01:35:08 Sen. Story to Mr. Strand, MITS

01:36:42 Sen. Story to Ms. Sprinkle, Verizon Wireless

01:38:46 Sen. Story to Mr. Baerlocher, DOR, rereferred to Mr. Daw, DOR

01:43:41 Sen. Jim Elliott to Rep. McNutt

01:44:39 Sen. Elliott to Mr. Strand, MITS

01:50:46 Sen. Elliott to Mr. Reese, Alltel Communications and Ms. Sprinkle, Verizon Wireless

01:52:59 Sen. Story to Mr. Strand, MITS

01:53:52 Sen. Kelly Gebhardt to Ms. Sprinkle, Verizon Wireless

01:54:43 Sen. Schmidt to Ms. Sprinkle, Verizon Wireless

01:56:56 Sen. Gebhardt to Sen. Schmidt

01:57:06 Sen. Gillan to Ms. Sprinkle, Verizon Wireless

**Closing by Sponsor:**

01:59:33 Rep. McNutt

**Discussion:**

02:04:36 Margaret Kauska, DOR

**EXHIBIT (tas48a03)**

02:06:47 Break

02:21:45 Reconvene

**HEARING ON SB 530**

**Opening Statement by Sponsor:**

02:21:54 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on  
**SB 530**, Revise biodiesel laws.

**Proponents' Testimony:**

02:23:40 Tyler Evilsizer, S.A.V.E Foundation

02:28:20 Rick Moore, Northern Plains Resource Council

02:31:21 Megan Brower, Montana Farm Bureau

**Opponents' Testimony:**

02:32:01 Barry "Spook" Stang, Executive Vice Chairman, Montana  
Motor Carriers Association (MMCA)

02:34:21 Tim Reardon, Chief Legal Counsel, Montana Department of  
Transportation (DOT)

**Informational Testimony:**

02:40:23 Bob Turner, Montana Department of Transportation (DOT)

**Questions from Committee Members and Responses:**

02:43:23 Sen. Schmidt to Sen. Brueggeman

02:45:20 Sen. Schmidt to Mr. Reardon, DOR

02:46:11 Sen. Story to Mr. Reardon, DOR

02:48:19 Sen. Story to Sen. Brueggeman

02:51:33 Sen. Black to Sen. Brueggeman

02:53:05 Sen. Essmann to Sen. Brueggeman

02:54:31 Sen. Essmann to Mr. Evilsizer, S.A.V.E.

02:56:14 Sen. Black to Mr. Stang, MMCA

03:00:28 Sen. Schmidt to Mr. Stang, MMCA

03:02:30 Sen. Elliott to Sen. Brueggeman

**Closing by Sponsor:**

03:03:52 Sen. Brueggeman

**Discussion:**

03:06:06 Sen. Elliott

**ADJOURNMENT**

Adjournment: 12:10 P.M.

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SEN. JIM ELLIOTT, Chairman

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LOIS O'CONNOR, Secretary

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Additional Exhibits:

**EXHIBIT ([tas48aad.pdf](#))**